## REMARKS

Entry of this Amendment and reconsideration are respectfully requested in view of the amendments made to the claims and for the remarks made herein.

Claims 1-7, 9-13 and 15 are pending in the application and stand rejected.

Claim 1 has been amended. Claim 10 has been cancelled, without prejudice.

Claims 1-7, 9-13 and 15 stand rejected under 35 USC §103(a) as being unpatentable over Sindhu (USP no. 5,440,698) in view of Foster (USP no. 6,202,007) and further in view of Denneau (USPPA 2003/00287247).

With regard to the rejection of claims 1-7, 9-13 and 15 under 35 USC §103(a) as being unpatentable over Sindhu in view of Foster (USP no. 6,202,007) and further in view of Denneau, applicant respectfully disagrees with and explicitly traverses the reason for rejecting the claims. However, in order to advance the prosecution of this matter, independent claim 1 has been amended to further recite the subject matter claimed in better form and to recite that parts of the local memories are used as cache memories that store data from other local memories that are accessed by their master port. No new matter has been added. Support for the amendment may be found at least on page 7, lines 6-9.

Sindhu (USP no. 5,440,698) discloses an arbitration system for resolving contention on synchronous packet switched busses to ensure that all devices serviced by such a bus are given bounded time access to the bus and to permit such devices to fill all available bus cycles with packets. Flow control for shared memory is implemented by supporting different types of arbitration requests and prioritization of such requests by type. Sindhu fails to provide any teaching regarding a single memory space or using memory addresses to distinguish between local and global memory.

Foster (USP no. 6,202,097) discloses a method for performing diagnostic

functions in a multiprocessor data processing system. Foster is cited by the Office Action for teaching a communication interface positioned on a single chip, wherein the memory device is not positioned on the single chip.

Denneau (USPPA no. 2003/0028747) discloses a method for associating cache memories with processors and a main memory wherein an effective address comprises an interest group and an associated address. The interest group represents an index into a cache vector table and/or an entry into the cache vector table. The associated address is used to select one of the caches. In one aspect, only the interest group may be used to represent an address used for access. Denneau further discloses that a range of addresses may be used to define particular cache memory wherein a first range defines a first cache memory that is accessed by a first processor and a second, disjoint, range defines a second cache memory that is accessed by a second processor. Denneau further defines a third, disjoint, range that may be accessed by both the first and second processor (see Figure 3). Thus, Denneau teaches a system wherein a single main memory is divided into a plurality of ranges that may be accessed by processors based on the settings of one or more access bits.

In maintaining the rejection of the claims, the Office Action acknowledges that "neither Sindhu nor Foster teaches the ability to selectively access a memory request using an address range within a single address space to distinguish between the local cache and main memory" and refers Denneau for teaching using an address range to distinguish between different levels of memory which combined with Sindhu and Foster satisfy the limitations of claim 1.

However, as Denneau teaches that a processor may have access to memories 1 and 2 (see Figure 3), there is no need for each of the local memories to reserve a part of the memory to locally store a copy of data residing in other local memories reachable via one of its master ports, as is recited in the claims. Rather, Denneau teaches that access to other memories may be established by a desired designation to concurrently access other

memories. When concurrent access to other memories is not desired, Denneau is silent with regard to maintaining a copy of data from the other memories in the local memory, as is recited in the claims.

In order to establish a *prima facie* case of obviousness, three basic criteria must be met, 1. there must be some suggestion or motivation in the references themselves or in the knowledge generally available to one of ordinary skill in the art, to modify the reference or combine the reference teachings, 2. there must be a reasonable expectation of success; and 3. the prior art reference must teach or suggest all the claim limitations.

The Court in *KSR v. Teleflex* (citation omitted) has held that the teaching, suggestion and motivation test (TSM) is merely to be used as a helpful hint in determining obviousness and a bright light application of such a test is adverse to those factors for determining obviousness enumerated in *Graham v. John Deere* (citation omitted).

In this case, a *prima facie* case of obviousness has not been made as each of the elements recited in the claims is not disclosed by the combination of Sindhu, Foster and Denneau, as the combination of the cited references fails to teach maintaining data from other memories in the local memory, as is recited in the claims.

For the amendments made to the independent claims and for the remarks made herein, applicant submits that the rejection of the independent claim 1 has been overcome and respectfully requests that the rejection be withdrawn.

With regard to the remaining claims, these claims depend from independent claim 1, which has been shown to include subject matter not disclosed by the combination of Sindhu, Foster and Denneau. Consequently, the remaining dependent claims are also not rendered obvious by Sindhu, Foster and Denneau as the remaining dependent claims also include subject matter not disclosed by the cited references.

For the amendments made to the claims and for the remarks made herein, applicant submits that all the objections and rejections have been overcome and that the

claims are in a condition for allowance. Applicant respectfully requests that a Notice of Allowance be issued.

Applicant denies any statement, position or averment stated in the Office Action that is not specifically addressed by the foregoing. Any rejection and/or points of argument not addressed are moot in view of the presented arguments and no arguments are waived and none of the statements and/or assertions made in the Office Action are conceded.

In this Amendment, applicant has amended claim 1 and cancelled claim 10 from further consideration in this application. Applicant is not conceding that the subject matter encompassed by claims 1-15, prior to this Amendment is not patentable. Claim 1 was amended solely to facilitate expeditious prosecution of the patent application. Applicant respectfully reserves the right to pursue claims, including the subject matter encompassed by claims 1-15, as presented prior to this Amendment and additional claims in one or more continuing applications.

Should the Examiner believe that the disposition of any issues arising from this response may be best resolved by a telephone call, the Examiner is invited to contact applicant's representative at the telephone number listed below.

Respectfully submitted,
Michael Belk, Reg. No. 33,357

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